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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PENDLETON DIVISION

OREGON FIREARMS FEDERATION, INC.,
et al.,

Plaintiffs,

v.

TINA KOTEK, et al.,

Defendants,

and

Case No. 2:22-cv-01815-IM (lead case)
3:22-cv-01859-IM (trailing case)
3:22-cv-01862-IM (trailing case)
3:22-cv-01869-IM (trailing case)

**DECLARATION OF HARRY B.
WILSON IN SUPPORT OF BILL OF
COSTS**

OREGON ALLIANCE FOR GUN SAFETY,

Intervenor-Defendant.

MARK FITZ, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

KATERINA B. EYRE, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants,

and

OREGON ALLIANCE FOR GUN SAFETY,

Intervenor-Defendant

DANIEL AZZOPARDI, et al.,

Plaintiffs,

v.

ELLEN F. ROSENBLUM, et al.,

Defendants.

I, Harry B. Wilson, declare as follows:

1. I am a Special Assistant Attorney General for Defendants and an attorney with Markowitz Herbold PC. I have personal knowledge of the facts set forth herein. I make this declaration in support of the State Defendants' Bill of Costs.

2. These four above-captioned matters were consolidated for trial, which took place May 30 and June 5-9, 2023.

3. The State Defendants' Bill of Costs outlines the costs incurred by Defendants. Attached to the Bill of Costs as Exhibit 1 is a summary of the costs Defendants incurred in connection with this litigation, categorized by type of cost. True and accurate copies of supporting invoices for those costs are attached to the Bill of Costs as Exhibit 2. Defendants seek an award of the actual costs paid in connection with this litigation through the filing of this petition.

4. All costs sought by Defendants were reasonably and necessarily incurred and not included as overhead in the attorneys' hourly rates and were either actually paid by the State Defendants or are the subject of outstanding bills.

5. During litigation, all costs were billed contemporaneously. I personally oversaw and directed this litigation, and I reviewed the invoices and costs every month.

6. The following chart summarizes the costs incurred during the course of litigation:

Category	Cost
Service	\$1,506.98
Transcripts	\$45,692.97
Printing	\$8,446.65
Other - Deposition Videos	\$12,121.88
TOTAL	\$67,768.48

7. Markowitz Herbold contracts with Nationwide Process Service, Inc. to assist with service of legal papers. In this case, the State Defendants incurred a total charge of \$1,506.98 for service of document subpoenas on sheriffs' offices in Columbia, Malheur, Sherman, Umatilla, and Union counties. Sheriffs representing each of those offices were plaintiffs in this matter and obtaining documents from those offices was necessary to prepare for trial.

8. The State Defendants incurred \$45,692.97 for printed and electronically recorded transcripts of depositions, hearings, and trial as necessarily obtained for use in this litigation. This includes deposition transcripts as well as court reporting services provided by Jill Jessup in connection with the temporary restraining order hearing, pretrial conferences, and trial. Defendants also incurred \$12,121.88 for recorded videos of depositions obtained for use in this litigation. The State Defendants obtained deposition transcripts and video recordings to prepare for trial, to ensure that they could present testimony from individuals outside the subpoena power of the Court, and to prepare for effective impeachment on cross-examination at trial. The State Defendants used hearing transcripts to prepare motions and for trial. And the State Defendants used daily trial transcripts to prepare their defense to plaintiffs' case and to prepare their closing (knowing that the Court did not plan to allow post-trial briefing made obtaining daily transcripts especially important for preparing an effective closing).

9. Markowitz Herbold contracted with third-party vendor Streamline to provide printed trial exhibits in preparation for trial. Those charges total \$8,446.65.

I declare under penalty of perjury that the foregoing is true and correct.

Executed August 14, 2023, at Portland, Oregon.

s/ Harry B. Wilson

Harry B. Wilson, OSB # 077214

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